

## **REMARKS**

In response to the above-identified Office Action, Applicant amends the application and seeks reconsideration thereof. In this response, Applicant amends Claims 1, 3, 4, 6, and 8, and cancels Claim 7. Applicant does not add any new claims. Accordingly, Claims 1-6 and 8 are pending.

### **I. In the Specification**

Applicant has amended the typographical error identified by the Examiner in the specification. Specifically, Applicant has added “is 12 ns to 10 ns” at page 13, line 16 following the word “frequency.” Further, in the same paragraph, Applicant has corrected a misspelled word “defied” at page 13, line 9 to “defined.” Applicant has also corrected grammatical errors appearing at lines 4-6 in the same paragraph from “defined in” to “defined to be.” Approval of the amendment is respectfully requested.

### **II. Claims Rejected Under 35 U.S.C. § 102**

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,218,705 issued to Inaba, et al. (“Inaba”). Applicant respectfully traverses the rejection.

To anticipate a claim, the Examiner must show that a single reference teaches each of the elements of that claim. In regard to Claim 1, amended Claim 1 incorporates elements of allowable Claim 7, now cancelled. Among other elements, amended Claim 1 recites “a first delay line ... for delaying a clock signal; a second delay line ... for delaying the clock signal if a delay locking operation is not achieved in the first delay line; and a third delay ... for delaying the clock signal if the delay locking operation is not achieved in the second delay line.” Applicant submits that Inaba at least does not teach these elements.

Inaba teaches a delay compensator having a first, a second, and a third delay line, wherein each of the delay lines has a different delay time. Each of the delay lines is parallely connected to a

bypass line, which serves to bypass an incoming signal when a switch associated with the delay line is placed in the “OFF” position (Fig. 3). Thus, by varying the positions of the three switches, one may obtain eight different length of total delay times (col. 4, lines 29-40). That is, the three switches may be independently turned on or off to provide one of the eight delays closest to the actual delay. Thus, a switch is turned on not because the delay line associated with another switch fails to achieve locking, but because it produces a desired combination of switch positions.

According to Inaba, the switch controlling the second delay line (i.e., switch 85) may be turned off even if the first delay line does not achieve delay locking (See #4 and #5 at col. 4, lines 30-36). In contrast to Claim 1, there is no causal relationship among the operations of the three delay lines in Inaba’s teaching. Thus, Inaba does not teach “a second delay line ... for delaying the clock signal if a delay locking operation is not achieved in the first delay line, and a third delay line for delaying the clock signal ... if the delay locking operation is not achieved in the second delay line,” as recited in Claim 1. Thus, Inaba does not teach each of the elements of Claim 1. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claim 1 are requested.

In regard to Claim 2, Claim 2 depends from Claim 1 and incorporates the limitations thereof. Thus, at least for the reasons mentioned above in regard to Claim 1, Inaba does not anticipate Claim 2. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claim 2 are respectfully requested.

Claims 3 and 6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,628,155 issued to Park, et al. (“Park”). Applicant respectfully traverses the rejection.

Amended Claims 3 and 6 incorporate all of the elements of allowable Claim 7, now cancelled. In regard to Claim 3, Claim 3 is a device claim which has been amended to include all of the device limitations corresponding to the method limitations of allowable method Claim 7. Thus, Claim 3 should be allowable for the same reasons that Claim 7 is allowable.

In regard to Claim 6, the Examiner indicates that Claim 7, now cancelled, is allowable if rewritten in independent form including all of the limitations of base Claim 6. Following the

Examiner's suggestion, Applicant has amended Claim 6 to include all of the limitations of allowable Claim 7. Thus, Claim 6 should be allowable for the same reasons that Claim 7 is allowable.

Additionally, Park does not teach "a first unit delay having a first resolution; a second unit delay having a second resolution; and a third unit delay having a third resolution." Rather, Park teaches that the first variable delay line 114, the second variable delay line 202, and the third variable delay line 204 all have the same unit delay of  $T/12$  (col. 6, lines 43-46, col. 5, line 67-col. 6, line 2, and col. 7, lines 14-16). Thus, Park does not teach each of the elements of Claims 3 and 6 for this additional reason. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claims 3 and 6 are respectfully requested.

Claims 1-6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,836,166 issued to Lin, et al. ("Lin"). Applicant respectfully traverses the rejection.

Claim 1 recites the elements of "a second delay line ... if the a delay locking operation is not achieved in the first delay line," and "wherein the first delay is shorter than the second delay." Lin at least does not teach these elements.

The Examiner characterizes Lin's base coarse variable delay line 208 as the first delay line, the fine delay line 218 as the second delay line, and the coarse delay line 220 as the third delay line. Lin teaches that the base coarse variable delay line 208 generates a coarse delayed clock signal CDCLK having a base coarse delay BCD (col. 5, lines 37-41), wherein the BCD is an integer multiple of a coarse unit time delay TCD (col. 3, lines 3-6 and Fig. 2). The fine delay line 218 receives the CDCLK to generate a fine delayed clock signal FDCLK having a fine delay, which is an integer multiple of a fine unit time delay TFD. Lin further teaches that  $TCD = N \times TFD$ , where N is an integer (col. 3, line 8). Thus, TCD, which is the first delay, is longer than TFD, the second delay. Thus, Lin does not teach each of the elements of Claim 1. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claim 1 are respectfully requested.

In regard to Claims 3 and 6, these claims incorporate the limitations of allowable Claim 7, now cancelled, and are therefore allowable for at least the reasons that Claim 7 is allowable. Further, Lin does not teach “a first unit delay having a first resolution; a second unit delay having a second resolution; and a third unit delay having a third resolution.” Rather, Lin’s first and third delay lines have the same resolution, i.e., TCD (col. 9, lines 20-26, and col. 3, lines 3-6). Thus, Lin does not teach each of the elements of Claims 3 and 6 for this additional reason. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claims 3 and 6 are respectfully requested.

In regard to Claims 2, 4, and 5, Claim 2 depends from Claim 1 and Claims 4 and 5 depend from Claim 3. Thus, at least for the reasons mentioned above in regard to Claims 1 and 3, Lin does not anticipate these claims. Accordingly, reconsideration and withdrawal of the anticipation rejection of Claims 2, 4 and 5.

### **III. Allowable Subject Matter**

Applicant has cancelled Claim 7.

In regard to Claim 8, Claim 8 is objected to as being dependent from a reject base Claim 6, but would be allowable if rewritten in an independent form. Applicant respectfully submits that the amendment to Claim 6 has obviated the need to rewrite these claims. As Claim 6 is in condition for allowance, Claim 8, which depends from Claim 6 and incorporates the limitations thereof, is allowable for at least the reasons mentioned above in regard to Claim 6. Accordingly, reconsideration and withdrawal of the objection of Claim 8 are requested.

## CONCLUSION

In view of the foregoing, it is believed that all claims now are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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### CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 20, 2005.

  
Lillian E. Rodriguez

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